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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/909,251  | 07/19/2001  | Reza Arbab           | AUS920010386US1     | 8679             |
| 7590  | 05/03/2006  |                      | EXAMINER            |                  |
| Duke W. Yee<br>Carstens, Yee & Cahoon, LLP<br>P.O. Box 802334<br>Dallas, TX 75380 |             |                      | DINH, MINH          |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2132                |                  |

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                       |                  |
|------------------------------|-----------------------|------------------|
| <b>Office Action Summary</b> | Application No.       | Applicant(s)     |
|                              | 09/909,251            | ARBAB ET AL.     |
|                              | Examiner<br>Minh Dinh | Art Unit<br>2132 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 December 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 19 July 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

KAMBIZ ZAND  
PRIMARY EXAMINER

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is in response to the amendment filed 12/22/2005. Claims 1, 4-5, 7, 18, 21, 24 and 31 have been amended.

### ***Response to Arguments***

2. Applicant's arguments, filed 12/22/2005, with respect to the rejections of claims 1-3 and 22-32 under 35 USC 102 have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, a discovery of new prior art has necessitated new grounds of rejection. The delay in citation of the newly discovered prior art is regretted.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 18-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

- Claims 18-30 are not limited to tangible embodiments. In view of applicant's disclosure, specification page 17, lines 17-29, the computer readable medium is not limited to tangible embodiments, instead being

defined as including both tangible embodiments (recordable-type medium such as hard disk drive or floppy disc) and intangible embodiments (transmission-type medium such as digital/analog communication links). As such, the claim is not limited to statutory subject matter and is therefore non-statutory. Please refer to *Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, 1300 Off. Gaz. Pat. Office 142 (Nov. 22, 2005) (Patent Subject Matter Eligibility Interim Guidelines).

- Claim 31 is not tangibly embodied as it is only software *per se*. For a system or an apparatus or a machine to be a physical object, at least one recited element must be hardware. Since all elements of the claim can be reasonably interpreted in light of the disclosure by one of ordinary skill as software alone (page 9, lines 27-29), the claim is directed to software *per se* and is non-statutory.

#### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 30 is a dependent

claim of claim 17, a method claim, but claims a computer program product. The statutory category of the invention is not clear. For examination purpose, claim 30 is treated as being depended upon claim 27.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-4 and 6-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Parker ("P-Synch"). Parker discloses utilizing P-Synch password management software to synchronize password changes from a single location (page 1, last paragraph)

With respect to claims 1-4, 11-13, 17-22 and 28-32, Parker specifically discloses a method comprising identifying a plurality of resources that are part of a group of resources by retrieving a user password profile in which groups of resources are identified along with corresponding password information, updating a first password for a first resource in the group of resources, and updating a second password for a second resource in the

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group of resources based on the updating of the first password for the first resource, wherein the second password is updated automatically without user intervention (page 2, "As you may have ... options such as password aging.", "Prior to installing ... network-wide password management."; page 3, "Once properly configured ... in under two minutes.")

With respect to claims 6-10 and 23-27, Parker further discloses providing a user with a listing of resources to which the user is given access; receiving selections from the user for grouping various ones of the resources into groups of resources; and storing the groups of resources in a user password profile (page 2, "Prior to installing ... network-wide password management."; page 3, "Our test network consisted of ... in under two minutes.")

With respect to claims 14-16, Parker further discloses that P-synch, which requires access to the user password profile, can run on a server, a client or any machine on the network (page 2, "If you are running ... non-NIS targets only, if you prefer."); page 3, "Installing P-Synch takes ... most Linux system configurations.")

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parker as applied to claim 1 above, and further in view of Stallings ("Operating Systems – Internal and Design Principles"). Parker does not disclose utilizing multithreading technique in performing password changes. Stallings discloses utilizing multithreading technique (i.e., dividing a process executing an application into threads that can run simultaneously) for applications that perform independent tasks (Section 2.4, Characteristics of Modern Operating Systems, pages 72-73; Section 4.1, Processes and Threads, pages 148-149). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Parker method to utilize multithreading technique in performing password changes, which are independent tasks, as taught by Stallings. The motivation for doing so would have been to improve performance. Accordingly, each password change is performed by a separate thread instead of a process.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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U.S. Patent No. 5,611,048 to Jacobs et al.

U.S. Patent No. 5,832,211 to Blakley, III et al.

U.S. Patent No. 6,000,033 to Kelly et al.

U.S. Patent No. 6,182,229 to Nielsen

U.S. Patent No. 6,240,184 to Huynh et al.

U.S. Patent No. 6,986,038 to Leah et al.

Courion Corporation, Press Release, "Courion Announces New Version  
Of Identity Management Software Suite"

Yasin, "Users Take Control Of Identity Mgm't"

M-Tech, Press Release, "M-Tech Releases P-Synch v4.2"

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MD



KAMBIZ ZAND  
PRIMARY EXAMINER

Minh Dinh  
Examiner  
Art Unit 2132

MD  
4/29/06